Air and Radiation Docket and Information Center, 401 M St., SW., Washington, DC 20460, or at the Office of the Federal Register, 800 N. Capitol St. NW., 7th Floor, Suite 700, Washington, DC 20001.

(b) The following paragraphs and tables set forth the material that has been incorporated by reference in this part.

(1) *ASTM material.* The following table sets forth material from the American Society for Testing and Materials which has been incorporated by reference. The first column lists the number and name of the material. The second column lists the section(s) of this part, other than §91.6, in which the matter is referenced. The second column is presented for information only and may not be all inclusive. Copies of these materials may be obtained from American Society for Testing and Materials, 1916 Race St., Philadelphia, PA 19103.

| Document number and name | 40 CFR part 91 reference |
|---|---|
| ASTM D86–93: Standard Test Method for Distillation of Petroleum Products | Appendix A to Subpart D. |
| ASTM D323–90: Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method). | Appendix A to Subpart D. |
| ASTM D1319–93: Standard Test Method for Hydrocarbon Types in Liquid Petroleum Products by Fluorescent Indicator Adsorption. | Appendix A to Subpart D. |
| ASTM D2622–92: Standard Test Method for Sulfur in Petroleum Products by X-Ray Spectrometry. | Appendix A to Subpart D. |
| ASTM D2699–92: Standard Test Method for Knock Characteristics of Motor Fuels by the Research Method. | Appendix A to Subpart D. |
| ASTM D2700–92: Standard Test Method for Knock Characteristics of Motor and Aviation Fuels by the Motor Method. | Appendix A to Subpart D. |
| ASTM D3231–89: Standard Test Method for Phosphorus in Gasoline | Appendix A to Subpart D. |
| ASTM D3606–92: Standard Test Method for Determination of Benzene and Toluene in Finished Motor and Aviation Gasoline by Gas Chromatography. | Appendix A to Subpart D. |
| ASTM E29–93a: Standard Practice for Using Significant Digits in Test Data to Determine Conformance with Specifications. | 91.207; 91.120; 91.509; 91.1307. |

(2) *SAE material.* The following table sets forth material from the Society of Automotive Engineers which has been incorporated by reference. The first column lists the number and name of the material. The second column lists the section(s) of this part, other than §91.7, in which the matter is referenced. The second column is presented for information only and may not be all inclusive. Copies of these materials may be obtained from Society of Automotive Engineers International, 400 Commonwealth Dr., Warrendale, PA 15096–0001.

| Document number and name | 40 CFR part 91 reference |
|---|---|
| SAE J1228/ISO 8665 November 1991 Small Craft-Marine Propulsion Engine and Systems-Power Measurements and Declarations. | 91.104, 91.115; 91.118; 91.207; 91.1307. |
| SAE J1930 June 1993 Electrical/Electronic Systems Diagnostic Terms, Definitions, Abbreviations and Acronyms. | 91.113. |
| SAE Paper 770141 Optimization of a Flame Ionization Detector for Determination of Hydrocarbon in Diluted Automotive Exhausts, Glenn D. Reschke, 1977. | 91.316 |

## §91.7 Treatment of confidential information.

(a) Any manufacturer may assert that some or all of the information submitted pursuant to this part is entitled to confidential treatment as provided by part 2, subpart B, of this chapter.

(b) Any claim of confidentiality must accompany the information at the time it is submitted to EPA.

(c) To assert that information submitted pursuant to this subpart is confidential, a manufacturer must indicate clearly the items of information claimed confidential by marking, circling, bracketing, stamping, or otherwise specifying the confidential information. Furthermore, EPA requests, but does not require, that the submitter also provide a second copy of its submittal from which all confidential information has been deleted. If a need arises to publicly release nonconfidential information, EPA will assume that the submitter has accurately deleted the confidential information from this second copy.

(d) If a claim is made that some or all of the information submitted pursuant to this subpart is entitled to confidential treatment, the information covered by that confidentiality claim will be disclosed by the Administrator only to the extent and by means of the procedures set forth in part 2, subpart B, of this chapter.

(e) Information provided without a claim of confidentiality at the time of submission may be made available to the public by EPA without further notice to the submitter, in accordance with §2.204(c)(2)(i)(A) of this chapter.

## Subpart B—Emission Standards and Certification Provisions

### § 91.101 Applicability.

The requirements of this subpart B are applicable to all new marine spark-ignition engines subject to the provisions of subpart A of this part 91.

### § 91.102 Definitions.

The definitions in subpart A of this part 91 apply to this subpart. All terms not defined herein or in subpart A of this part have the meaning given them in the Act.

### § 91.103 Averaging, banking, and trading of exhaust emission credits.

Regulations regarding averaging, banking, and trading provisions along with applicable recordkeeping requirements are found in subpart C of this part.

### § 91.104 Exhaust emission standards for outboard and personal watercraft engines.

(a) New marine spark-ignition outboard and personal watercraft engines for use in the U.S. must meet the following exhaust emission standards for $HC+NO_X$. The exhaust emission standard for each model year is provided below. It is also used as input to the calculation procedure in §91.207 to determine compliance with the corporate average $HC+NO_X$ exhaust emission standard.

HYDROCARBON PLUS OXIDES OF NITROGEN EXHAUST EMISSION STANDARDS

[grams per kilowatt-hour]

| Model year | P < 4.3 kW $HC+NO_X$ emission standard by model year | P > 4.3 kW $HC+NO_X$ emission standard by model year |
|---|---|---|
| 1998 | 278.00 | $(0.917 \times (151 + 557/P^{0.9})) + 2.44$ |
| 1999 | 253.00 | $(0.833 \times (151 + 557/P^{0.9})) + 2.89$ |
| 2000 | 228.00 | $(0.750 \times (151 + 557/P^{0.9})) + 3.33$ |
| 2001 | 204.00 | $(0.667 \times (151 + 557/P^{0.9})) + 3.78$ |
| 2002 | 179.00 | $(0.583 \times (151 + 557/P^{0.9})) + 4.22$ |
| 2003 | 155.00 | $(0.500 \times (151 + 557/P^{0.9})) + 4.67$ |
| 2004 | 130.00 | $(0.417 \times (151 + 557/P^{0.9})) + 5.11$ |
| 2005 | 105.00 | $(0.333 \times (151 + 557/P^{0.9})) + 5.56$ |
| 2006 and later | 81.00 | $(0.250 \times (151 + 557/P^{0.9})) + 6.00$ |

where:

P = the average power of an engine family in kW (sales weighted). The power of each configuration is the rated output in kilowatts as determined by SAE J1228. This procedure has been incorporated by reference. See §91.6.